

## **Sullivan County**

**Type of meeting:** Board of Commissioners Executive Business Session  
**Meeting Minutes –Per RSA 91-A:3.II.c. &e., Legal Opinion**

**Date/Time:** Tuesday, June 03, 2008; 4:55 PM

**Place:** Remington Woodhull County Complex, 14 Main Street, Newport NH 03743; Commissioners' Conference Room.

**Attendees:** Commissioners Jeffrey Barrette – *Chair*, Bennie Nelson – *Vice Chair*; Ethel Jarvis – *Clerk*; Greg Chanis – *Interim County Administrator*; Ted Purdy – *S.C.H.C. Administrator*; Marc Hathaway – *County Attorney*; and Sharon Johnson-Callum (minute taker).


**4:55 Commissioner Nelson moved to go into Executive Session to take council regarding the issue [Per RSA 91-A:3.II.c&e.]. Commissioner Jarvis seconded the motion. There was no discussion. Those in Executive Session include: the three Commissioners, Mr. Chanis, Mr. Purdy, Mr. Hathaway and Ms. Johnson-Callum. A roll call vote was taken, with all in favor.**

*4:55 Everyone else left the room.*

Mr. Hathaway commended Mr. Chanis for the analysis work he did on payments to Genesis. He noted the overall arching assessment of his office: there is no overall factual census of recovering any monies paid; we had a contract, by reasonable assessment with contract, the County is in a positive position in respect to Genesis. Mr. Hathaway does not feel the Commissioners acted unlawful per Delegation; contract acted on, PO's paid and documented. Mr. Chanis confirmed he did not include analysis of the severance pay, but his reading of the salary and benefits for October/November, the County initially paid for two administrators, those amounts for October/November were reversed for Mr. Marshall. Mr. Chanis discussed the \$40,000 [actual amount \$40,610.48, Check 37810] check that was prepared and voided. He reminded the Board of the letter received this year from Ray Thivierge looking for those monies, which the County never paid. The group concurred the amount paid was less than the contracted amount. They discussed Genesis's poor billing system. Mr. Chanis inserted, Genesis's billing was in violation of the contract. Mr. Hathaway discussed his opinion on what the Commissioners should focus on for a conversation during the public portion. Commissioner Nelson noted, if the analysis result had been "unsure" on whether the County paid an over expenditure, he was going to suggest going to Primex. The group concurred, if they accept Mr. Hathaway's opinion and Mr. Chanis's analysis, they are at an end point. Mr. Hathaway suggested they leave it open ended, by indicating: if there is additional information that arises, which changes the information in the letter, they could revisit this issue.

**5:27 Commissioner Jarvis moved to come out of Executive Session. Commissioner Nelson seconded the motion. There was no discussion. A voice vote was taken. The motion carried, unanimously.**

Respectfully submitted,

  
Ethel Jarvis, Clerk  
Board of Commissioners

EJ/sj-c.

Date signed: 7-10-08